THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.8742 OF 2006

ORAL ORDER:

Having heard the learned counsel for the petitioner as well as the learned standing counsel appearing for the 1st respondent, it is clear that the grievance of the petitioner is only against the 2nd respondent, who is the landlady of the mulgi in question. The petitioner does not dispute the fact that he is only a tenant in respect of the said mulgi, which is a secured asset, against which a notice under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the Act"), has already been issued. It is also on record that the O.S.No.1758 of 2006 filed by the petitioner against the 2nd respondent is pending in the Court of III Junior Civil Judge, City Civil Court and an *ad interim injunction* was granted in I.A.No.522 of 2006 on 3.03.2006.

Hence, the writ petition invoking the jurisdiction under Article 226 of the Constitution of India is misconceived and cannot be entertained. Accordingly, the writ petition is dismissed. However, this shall not preclude the petitioner to work out the remedy of appeal as available under the Act, if he so chooses. No costs.

(G. ROHINI, J.)

26th April, 2006.

Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.8742 OF 2006

26th April, 2006.

Between:

Mohd. Abdul Wahed. .. Petitioner.

And

Central Bank of India,

represented by its Chief Manager,

R.P. Road, Secunderabad Branch,

R.P. Road, Secunderabad and

another. .. Respondents.